

Land Development Code



City of Hickory, NC

Acknowledgements

Mayor and City Council Members

- Mayor Hank Guess
- Tony Wood
- Charlotte Williams
- Danny Seaver
- David Williams
- David Zagaroli
- Jill Patton

City of Hickory

- Warren Wood, City Manager
- Rick Beasley, Assistant City Manager
- Rodney Miller, Assistant City Manager
- Terry Clark, Airport
- Arnita Dula, Legal
- Shawn Pennell and Steve Miller, Public Services
- Mark Seaman, Parks, Recreation and Sports Tourism
- Dana Kaminske, Communications and Marketing

Hickory Regional Planning Commission

- Bill McBrayer
- Dan Shabeldeen
- Junior Hedrick
- Sam Hunt
- Wallace Johnson
- Meg Jenkins Locke
- Randall Mays
- David Deal
- Jeff Kerley
- William Pekman
- Robert Weaver

Planning and Development Staff

- Brian Frazier, Director
- Cal Overby, Assistant Planning Manager
- David Leonetti, Business Services Manager
- Brian Burgess, Senior Planner
- Jason Meier, Zoning Enforcement Officer
- Megan Hodges, Planning Technician
- Teresa Hamby, Planning Technician
- Heidi Hedrick, Community Development Assistant
- Daniel Ezell, GIS Manager

Amendments

1. TA 11-01 (Adopted 12-6-2011) - amendments to Article 3 (Zoning Districts), Article 4 (Overlay Districts), Article 6 (Use Regulations), Article 7 (Intensity Dimensional and Design Standards), Article 9 (Standards of General Applicability), Article 10 (Signs), Article 12 (Nonconformities), and Article 14 (Definitions).
2. TA 12-01 (Adopted 2-5-2013) – amendments to Article 2 (Development Review Procedures), Article 6 (Use Regulations), Article 7 (Intensity, Dimensional and Design Standards), Article 9 (Standards of General Applicability) and Article 10 (Signs).
3. TA 14-01 (Adopted 4-15-2014) – amendments to Article 2 (Development Review Procedures), Article 4 (Overlay Districts), Article 6 (Use Regulations), Article 7 (Dimensional Standards), Article 8 (Subdivisions), Article 9 (Standards of General Applicability) and Article 10 (Signs).
4. TA 14-02 (Adopted October 7, 2014) – amendments to Article 6 (Sec. 6.1 Use Table & 6.2.21 Seasonal and Temporary Sales) and Article 14 (Section 14.1 Terms and Definitions Defined).
5. TA 14-03 (Adopted January 6, 2015) – amendments to Article 6 (Sec 6.3.2 Accessory Dwelling Units, Sec. 6.4 Temporary Health Care Structures), Article 7 (Sec. 7.1 Residential District Standards), and Article 14 (Sec. 14.1 Terms and Uses Defined).
6. TA 15-01 (Adopted December 15, 2015) – amendments to Article 2 (Sec. 2.2.9 Citizen Comments), Article 4 (Section 4.3 Neighborhood Preservation Overlay District), and Article 9 (Sec. 9.14.7 Perimeter Parking Area Buffers).
7. TA 16-01(Adopted January 17, 2017) – amendment to Article 7 (Section 7.3 Non-Residential District Standards – Residential Density in C-1 District).
8. TA 18-01 - 5 year review and update.
9. TA 19-01 – Annual Update
10. TA 21-01 - Statutory and Annual Update.

CHAPTER 1 INTRODUCTORY PROVISIONS	8
Sec. 1.1 Title	8
Sec. 1.2 Authority	8
Sec. 1.3 Applicability and Jurisdiction	8
Sec. 1.4 Compliance Required	8
Sec. 1.5 Interpretation	8
Sec. 1.6 Minimum Requirements	8
Sec. 1.7 Purpose and Intent	9
Sec. 1.8 Implementation of the Comprehensive Plan <i>(TA 18-01)</i>	9
Sec. 1.9 Zoning Map	9
Sec. 1.10 Manual of Practice	10
Sec. 1.11 Commentary	10
Sec. 1.12 Word Usage and Construction of Language	10
Sec. 1.13 Conflicting Provisions	12
Sec. 1.14 Transitional Provisions	12
Sec. 1.15 Severability	13
CHAPTER 2 DEVELOPMENT REVIEW PROCEDURES	14
Sec. 2.1 General	14
Sec. 2.2 Land Development Code Text and Zoning Map Amendments	25
Sec. 2.3 Subdivision Plats	30
Sec. 2.4 Special Uses	36
Sec. 2.5 Certificates of Appropriateness	39
Sec. 2.6 Zoning Compliance Permits	44
Sec. 2.7 Zoning Compliance Certificates	45
Sec. 2.8 Variances	45
Sec. 2.9 Written Interpretations	46
Sec. 2.10 Appeals of Administrative Decisions	47
Sec. 2.11 Review and Decision Making Bodies	48
CHAPTER 3 BASE ZONING DISTRICTS	52
Sec. 3.1 Residential Zoning Districts	52
Sec. 3.2 Non-Residential Zoning Districts	53
Sec. 3.3 Neighborhood Center (NC) and Community Center (CC-1) Zones	55
Sec. 3.4 Commercial Corridor (CC-2), Office and Institutional (OI), General Business (C-2) Zones, and Regional Commercial (C-3) Zones	60
Sec. 3.5 Central Business District (C-1)	63
Sec. 3.6 Industrial (IND)	68
CHAPTER 4 OVERLAY AND SPECIAL PURPOSE DISTRICTS	69
Sec. 4.1 Overlay Zoning Districts	69
Sec. 4.2 Revitalization District Overlay	69
Sec. 4.3 Neighborhood Preservation Overlay District <i>(TA 15-01)</i>	70
Sec. 4.4 Historic Overlay District (H-O)	71
Sec. 4.5 Watershed Protection Overlay District (WP-O) <i>(TA 18-01)</i>	75
Sec. 4.6 Airport Overlay District	86
Sec. 4.7 NC 127 Central Corridor Overlay District (NC127-O)	90
Sec. 4.8 High Rise Sign Overlay District (HRS-O)	92

CHAPTER 5 PLANNED DEVELOPMENTS	93
Sec. 5.1 Planned Development Districts (PD)	93
CHAPTER 6 USE REGULATIONS	97
Sec. 6.1 Use Table	97
Sec. 6.2 Use Standards	103
Sec. 6.3 Accessory Uses (<i>TA 18-01</i>)	118
Sec. 6.4 Temporary Uses	120
CHAPTER 7 INTENSITY, DIMENSIONAL AND DESIGN STANDARDS	124
Sec. 7.1 Residential District Standards (<i>TA 12-01, TA 14-03, & TA 18-01</i>)	124
Sec. 7.2 Multiple Family Development Standards	125
Sec. 7.3 Nonresidential District Standards (<i>TA 11-01, 14-01, 16-01, & 19-01</i>)	129
Sec. 7.4 Measurements, Computations and Exceptions	130
CHAPTER 8 SUBDIVISION DESIGN STANDARDS	133
Sec. 8.1 General	133
Sec. 8.2 Adequate Public Facilities	135
Sec. 8.3 Manual of Practice	135
Sec. 8.4 Lots	135
Sec. 8.5 Blocks	137
Sec. 8.6 Streets	137
Sec. 8.7 Sidewalk and Pedestrian Access (<i>TA 18-01</i>)	139
Sec. 8.8 Conservation Subdivisions	140
Sec. 8.9 Domestic Water Supply and Sanitary Sewerage	141
Sec. 8.10 Erosion Control	142
Sec. 8.11 Fire Protection	142
Sec. 8.12 Underground Utilities	145
Sec. 8.13 Easements	146
Sec. 8.14 Public Sites	146
Sec. 8.15 Performance Guarantees	147
Sec. 8.16 Maintenance and Warranty Funds	149
CHAPTER 9 STANDARDS OF GENERAL APPLICABILITY	150
Sec. 9.1 Building Number and Arrangement	150
Sec. 9.2 Off-Street Parking and Loading	150
Sec. 9.3 Street Access (<i>TA 18-01</i>)	158
Sec. 9.4 Intersection Visibility (Sight Triangle)	158
Sec. 9.5 Access to Uses Not Allowed in Residential Zoning Districts	158
Sec. 9.6 Solid Waste Storage Areas; Screening	159
Sec. 9.7 Outdoor Lighting (<i>TA 14-01</i>) (<i>TA 18-01</i>)	160
Sec. 9.8 Window Displays of Sexual Oriented Devices and Materials Depicting Specified Sexual Activities and Specified Anatomical Areas	161
Sec. 9.9 Operational Performance Standards	161
Sec. 9.10 Animal Keeping	163
Sec. 9.11 Fencing and Other Standards for Certain Utility Uses	163
Sec. 9.12 Disposition of Cremated Remains	164

Sec. 9.13	Landscaping and Screening <i>(TA 11-01) (TA 18-01)</i>	164
Sec. 9.14	Fire Protection	173
Sec. 9.15	Property Maintenance	173
Sec. 9.16	Underground Utilities	174
CHAPTER 10 SIGNS		176
Sec. 10.1	General	176
Sec. 10.2	Prohibited Signs	178
Sec. 10.3	Sign Location	178
Sec. 10.4	Alternative Sign Plan	179
Sec. 10.5	Signs in Commercial, Office & Institutional and Industrial Districts	179
Sec. 10.6	Signs in Residential Zoning Districts <i>(TA 18-01)</i>	181
Sec. 10.7	Off-Premise Signs (Billboards) <i>(TA 14-01)</i>	181
Sec. 10.8	Electronic Message Boards <i>(TA 18-01)</i>	182
Sec. 10.9	Temporary Signs <i>(TA 18-01)</i>	182
Sec. 10.10	Sign Construction and Maintenance	184
CHAPTER 11 STORMWATER MANAGEMENT		186
Sec. 11.1	Purpose and Scope	186
Sec. 11.2	Definitions <i>(TA 18-01)</i>	187
Sec. 11.3	Warning and Disclaimer of Liability	188
Sec. 11.4	Stormwater Design Plans	189
Sec. 11.5	Permit requirements	189
Sec. 11.6	Fees	189
Sec. 11.7	Permit suspension and revocation	190
Sec. 11.8	Peak Flow Reducing Stormwater Control Facilities Requirements	190
Sec. 11.9	Stormwater management facilities	190
Sec. 11.10	Plan requirements	191
Sec. 11.11	Plan criteria	192
Sec. 11.12	Professional Licensure Requirements	192
Sec. 11.13	Inspection And Maintenance	192
Sec. 11.14	Financial Security	192
Sec. 11.15	Inspection schedule	192
Sec. 11.16	As-Built Certifications and Final Submittals	193
Sec. 11.17	Operation and Maintenance Agreement	193
Sec. 11.18	Maintenance of pre-existing stormwater management facilities	194
Sec. 11.19	Appeals	195
CHAPTER 12 NONCONFORMITIES		196
Sec. 12.1	General	196
Sec. 12.2	Nonconforming Uses	197
Sec. 12.3	Nonconforming Structures	198
Sec. 12.4	Nonconforming Lots	199
Sec. 12.5	Nonconforming Signs	199
Sec. 12.6	Other Nonconformities	200
CHAPTER 13 VIOLATIONS, PENALTIES, AND ENFORCEMENT		201
Sec. 13.1	Responsibility for Enforcement	201
Sec. 13.2	Violations <i>(TA 18-01)</i>	201

Sec. 13.3	Continuing Violations	201
Sec. 13.4	Liability	201
Sec. 13.5	Remedies and Enforcement Powers	202
Sec. 13.6	Continuation of Previous Enforcement Actions	204
Sec. 13.7	Remedies Cumulative	204
Sec. 13.8	Persons Subject to Penalties	204
Sec. 13.9	Enforcement Procedures	204
CHAPTER 14 DEFINITIONS		206
Sec. 14.1	Terms and Uses Defined (<i>TA 14-02, TA 18-01, TA 19-01</i>)	206